GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS-PR&RD Department – Sri Late K. Marianna, the then Assistant Engineer (Retd. & expired) PR, Sattenapalli, Guntur District – Misappropriation of Govt. funds with the active connivance of other accused – Sanction of prosecution in Crime No.25/94 & 91/94 of Peddakurapadu PS and Sattenapalli - Charge-sheet filed in the Court of VII AMM, Guntur – Placed under suspension – Reinstatement into service without prejudice to the criminal/disciplinary proceedings – Expired - Further action abated - Regularisation of suspension period – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 391 **Dated: 10-07-2020**
Read the following:-

1) From Director General of Police, CID, AP., Hyd., C.No.1227/C2/ CID/94, dt:31-01-2000.
2) G.O.Ms.No.243 & 244, PR&RD(Estt-III)Dept.,Dt:29-07-2000.
3) G.O.Rt.No.1297 PR&RD (Vig.IA) Department Dt:19-9-2006.
4) G.O.Rt.No.799 PR&RD (Vig.IA) Department Dt:15-05-2009.
5) Orders dated 9-3-2018 of VI Addl.Junior Civil Judge, Guntur in CCNo.11/2007 and CC No.19/2007.
6) From Engineer-in-Chief, PR, Vijayawada Lr.No.Vig-II(3)/25400/ 1998, dt:25-6-2018.
7) Govt.Memo.No.273/Vig-II/2001-12 Dt:31-07-2018.
8) From Addl.Director General of Police, CID, AP, Mangalagiri Lr.C.No.1227/C-54/C-2/CID/1994 Dt:27-03-2019.

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ORDER:

Based on reports of the Director General of Police, CID, AP., Hyderabad in the reference 1st read above, sanction was accorded for prosecution of Sri K. Mariyanna, the then AE, PR, Sattenapalli, Guntur District in the references 1st and 2nd read above in a Court of Law. The charge sheets have been filed by the Investigating Agency and the cases are pending trial in CC No.10/2003 and in CC No.199/2000 in the Court of VII AMM, Guntur.

2. Whereas, the Government having due regard to the circumstances of the case, is satisfied that the criminal charges are connected with his official position as Govt. Servant and involved moral turpitude and therefore placed Sri K. Mariyanna, the then AE, PR, MP, Muppala, Guntur District under suspension from service in the public interest vide reference 3rd read above.

3. And whereas, in the reference 4th read above, revoked the suspension of Sri K. Mariyanna, AE, PR, Guntur District without prejudice to the criminal/disciplinary proceedings against him.

4. And whereas, in the reference 6th read above, the Engineer-in-Chief, PR, Vijayawada has stated that Smt. K. Adilakshmi, W/o Late K. Mariyanna, AE, PR, Guntur (Retired & expired) has submitted that her husband was retired on 30-09-2013, while getting provisional pension, he was expired on 06-01-2018 (the death certificate enclosed issued by the Registrar, Birth & Deaths, Kammavaripalem GP of Krishna District), and earlier her husband facing irregularities and he was suspended vide G.O.Rt.No.1297, Dated: 19-9-2006 and later joined duty as per APAT orders. It is further submitted that, as per death certificate of K. Mariyanna was filed in the Court of VI Additional Junior Civil Judge, Guntur, and the case was abated against Late K. Mariyanna (A50) in CCNo.11/2007 and (A37) in CC No.19/2007 dt: 9-3-2018. She has requested to sanction full pension from 01-10-2013 and also regularize the suspension period and other retirement benefits.

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5. And whereas, in the reference 8th read above, the Additional Director General of Police, CID, Mangalagiri has informed that, the Accused persons are framed in the cases Cr.No.91/94 & 25/94 U/s 420, 468, 471, R/w 120-B IPC of Sattenapalli Town PS, Pedakurapadu PS, Guntur District. While both cases are pending in trial, Sri K. Mariyanna expired on 6-1-2018 and hence, the case against him was abated vide orders dated:9-3-2018 of the Hon'ble Court of VII Addl. Junior Civil Judge, Guntur. The investigation disclosed that the misappropriation of Govt. funds is of Rs.50,81,123/- in both the cases and the share of misappropriation of Govt.funds by each accused was not evaluated and all the accused persons are equally liable for fraudulent misappropriation in the process of withdrawing Govt. funds. At present, the trail has been commenced in both the cases before the Hon'ble Court VI Addl. Junior Civil Judge, Guntur.

6. Government, after careful examination of the entire matter, have decided to abate further action against Late K. Mariyanna, AE, PR, Guntur (expired on 06-01-2018) in CC No.11/2007(A50) and in CC No.19/2007(A37) pending before the Hon'ble Court VI Additional Junior Civil Judge, Guntur, subject to recovery of misappropriated amount if any, from his terminal benefits, under Rule 9(7) of APRP Rules, 1980 and to treat the period of suspension in respect of Late K. Mariyanna, the then AE, PR, Guntur, as ` DUTY' for all purposes under FR-54-B(2).

7. Accordingly, Government hereby order to abate further action against Late K. Mariyanna, AE, PR, Guntur (expired on 06-01-2018) in CC No.11/2007(A50) and in CC No.19/2007(A37) pending before the Hon'ble Court VI Additional Junior Civil Judge, Guntur, subject to recovery of misappropriated amount if any, from his terminal benefits, under Rule 9(7) of APRP Rules, 1980.

8. Further, Government hereby order to treat the period of suspension in respect of Late K. Mariyanna, the then AE, PR, Guntur, as 'DUTY' for all purposes under FR-54-B(2).

9. These orders issued with the concurrence of Finance (HR-II-FR) Department vide their U.O.No.FINO1-HR0RSPE/11/2019-HR-II Dated: 21-08-2019.

10. The Engineer-in-Chief, PR, A.P., Vijayawada shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Late K. Mariyanna, the then AE, PR, Guntur (through the Engineer-in-Chief, PR, A.P., Vijayawada)
The Engineer-in-Chief, PR, A.P., Vijayawada.

Copy to:
The Addl. Director General of Police, CID, Mangalagiri.
The Secretary to APVC, Velagapudi.
The Superintending Engineer, PR, Guntur.
SF/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER